

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

PAMELA J. DEES,

Plaintiff,

v.

BOB EVANS FARMS, INC.,

Defendant.

No. 03-CV-850-DRH

ORDER

HERNDON, District Judge:

This matter comes before the Court to consider the Joint Motion to Release Judgment on Defendant's Bill of Costs, filed by the parties on September 14, 2005. (Doc. 56.) Previously, the Court granted Defendant's Motion for Summary Judgment in this case, thereby requiring Plaintiff to reimburse Defendant for its reasonable costs and attorneys' fees. Plaintiff subsequently filed an objection to Defendant's Bill of Costs, specifically objecting to the costs associated with the videotaped deposition taken of Plaintiff and the cost of the court reporter fees for the transcript of Tina Marie Reimler, as neither were used for Defendant's summary judgment pleadings. Defendant appropriately opposed Plaintiff's objections, but agreed to withdraw the costs associated with the Reimler transcript. An Order was issued by this Court, finding that the videotape deposition costs were not properly taxable to Plaintiff. (Doc. 55.)

Shortly thereafter, the Court was notified by the parties that Defendant

wished to withdraw its Bill of Costs, as it was one of the terms of the settlement agreement entered into between Plaintiff and Defendant. Thus, the parties filed the instant motion. As both parties are in agreement with this request, the Court **GRANTS** the Joint Motion to Release Judgment on Defendant's Bill of Costs. Accordingly, the judgment in the amount of **\$2,143.95** in costs entered in favor of Defendant and taxed against Plaintiff is hereby **RELEASED** and **NULIFIED**.

IT IS SO ORDERED.

Signed this 16th day of September, 2005.

/s/ David RHerndon
United States District Judge